

**Iowa Department of Natural Resources
Natural Resource Commission**

ITEM

21

DECISION

TOPIC

Final Rule--Chapter 98, Wild Turkey Spring Hunting

The Commission is requested to adopt a final rule to amend Chapter 98, "Wild Turkey Spring Hunting." The amendments clarify that the state forests are no longer special zones for resident and nonresident spring turkey hunting. The amendment allows nonresidents to hunt in all four seasons and adjusts the nonresident license quotas to divide the licenses between all four seasons. Nonresidents had not been allowed to hunt during the second season when the number of licenses for residents was limited. The total number of nonresident turkey licenses issued does not change. One comment was received that supported opening second season to nonresidents and two were received that opposed the change.

Ken Herring, Administrator
Conservation and Recreation Division
Attachment

May 10, 2007

NATURAL RESOURCE COMMISSION [571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 98, "Wild Turkey Spring Hunting," Iowa Administrative Code.

Chapter 98 establishes the regulations for hunting wild turkeys during the spring and includes season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements. The amendments clarify that the state forests are no longer special zones for resident and nonresident spring turkey hunting. The amendments allow nonresidents to hunt in all four seasons and adjust the nonresident license quotas to divide the licenses between all four seasons. Nonresidents had not been allowed to hunt during the second season when the number of licenses for residents was limited. The total number of nonresident turkey licenses issued does not change.

Notice of Intended Action was published in the Iowa Administrative Bulletin on March 28, 2007, as ARC 5798B. A public hearing was held on April 19, 2007, and three comments were received. One comment was received that supported opening second season to nonresidents and two were received that opposed the change. One comment was received in writing opposing opening the second season to nonresidents.

These amendments are intended to implement Iowa Code sections 483A.38, 483A.39, 483A.48 and 483A.7.

These amendments shall become effective July 11, 2007.

The following amendments are adopted.

ITEM 1. Amend subrule 98.2(3) as follows:

98.2(3) Zones. A person with a resident wild turkey spring hunting license may take wild turkey statewide. ~~in designated areas in accordance with the type of license issued. A person with an archery only license may take wild turkey statewide. A person with a paid combination shotgun or archery license may take wild turkey in one of four zones described as follows:~~

a. ~~Zone 1. Zone 1 is all units of Stephens State Forest west of U.S. Highway 65 in Clarke and Lucas Counties only.~~

b. ~~Zone 2. Zone 2 is Shimek State Forest in Lee and Van Buren Counties only.~~

c. ~~Zone 3. Zone 3 is Yellow River State Forest in Allamakee County only.~~

d. ~~Zone 4. Zone 4 is all of Iowa except for those areas described by Zones 1, 2 and 3.~~

ITEM 2. Amend subrule 98.9(2) as follows:

98.9(2) Seasons. Bearded (or male) wild turkey may be taken only by the use of shotguns, muzzleloading shotguns, and bow and arrow during the first, second, third or fourth seasons as defined in 98.2(4)"a." ~~No nonresident hunting licenses will be issued for the second season.~~

ITEM 3. Amend rule 571--98.10(483A) as follows:

571--98.10(483A) Zones open to hunting. Licenses shall be valid only in designated areas as follows:

1. ~~Zone 1. Zone 1 is all units of Stephens State Forest in Clarke and Lucas Counties west of U.S. Highway 65.~~

2. ~~Zone 2. Zone 2 is the Shimek State Forest in Lee and Van Buren Counties only.~~

3. ~~Zone 3. Zone 3 is the Yellow River State Forest in Allamakee County only.~~

~~4. Zone 4. Zone 4 is that portion of Iowa bounded on the north by Interstate Highway 80 and on the west by U.S. Highway 59, with the exception of the areas described as Zone 1 and Zone 2.~~

~~5~~ 2. Zone 5. Zone 5 is that portion of Iowa bounded on the north by U.S. Highway 20 and on the east by U.S. Highway 59.

~~6~~ 3. Zone 6. Zone 6 is that portion of Iowa lying east of U.S. Highway 63 and north of Interstate Highway 80, with the exception of that area described as Zone 3.

~~7~~ 4. Zone 7. Zone 7 is that portion of Iowa bounded on the north by U.S. Highway 20, on the west by U.S. Highway 59, on the south by Interstate Highway 80, and on the east by U.S. Highway 63.

~~8~~ 5. Zone 8. Zone 8 is that portion of Iowa north of U.S. Highway 20 and west of U.S. Highway 63.

ITEM 4. Amend subrule 98.11(1) as follows:

98.11(1) Combination shotgun-or-archery licenses.

a. ~~Zone 1. Closed.~~

b. ~~Zone 2. Closed.~~

c. ~~Zone 3. Closed.~~

d. ~~Zone 4. 350~~ 262.

e ~~b.~~ Zone 5. 75 55.

f ~~c.~~ Zone 6. 220 165.

g ~~d.~~ Zone 7. 46 35.

h ~~e.~~ Zone 8. 25 20.

Date

Richard A. Leopold, Director

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